

STATE OF NORTH CAROLINA **FILED** IN THE GENERAL COURT OF
COUNTY OF WAKE JUSTICE
SUPERIOR COURT DIVISION
FILE NO.: 19 CVS 012667
2019 OCT 24 A 4:00
WAKE CO., C.S.C.

REBECCA HARPER, *et al.*,

Plaintiffs,

v.

REPRESENTATIVE DAVID R.
LEWIS, IN HIS OFFICIAL
CAPACITY AS SENIOR
CHAIRMAN OF THE HOUSE
SELECT COMMITTEE ON
REDISTRICTING, *et al.*,

Defendants.

PRO HAC VICE MOTION

NOW COME Intervenor Applicants Ted Budd, Virginia Foxx, and Richard Hudson (hereinafter "Intervenor Applicants"), through their undersigned counsel, and hereby move this Court for admissions *pro hac vice* for Peter C. Winkelman to represent them in this case.

In support of this Motion, Intervenor Applicants respectfully state as follows:

1. Peter C. Winkelman is a member in good standing of Florida Bar (FL Bar No. 0074437), and is a member of the law firm of Holtzman Vogel Josefiak Torchinsky PLLC; 45 North Hill Drive, Suite 100, Warrenton, VA 20186-2678. The Affidavit of Peter C. Winkelman, attached hereto as **Exhibit A**, sets forth his qualifications to appear in this case pursuant to N.C. Gen. Stat. § 84-4.1.
2. Mr. Winkelman is a member in good standing of the Florida State Bar, which grants like privileges to members of the bar of North Carolina in good standing.


3. Mr. Winkelman is counsel for Intervenor Applicants, and attached is their statement attesting to his retention as **Exhibit B**.
4. Pursuant to N.C. Gen. Stat. § 84-4.1(5), as local counsel in these matters and a resident of North Carolina, John E. Branch, III; Shanahan Law Group, 128 E. Hargett Street, Ste. 300, Raleigh, NC 27615; NC Bar. No. 32598, agrees to be responsible for filing the required registration statement of Mr. Winkelman with the North Carolina State Bar.
5. Peter C. Winkelman has no record of any disciplinary history, including, but not limited to, no public discipline by any court of law or regulatory organization and no revocation of any pro hac vice admission.
6. A fee has been provided in the amount of two hundred twenty-five dollars (\$225.00) for Mr. Winkelman's admission, made out to the "Clerk of Court" and sent to the Wake County Clerk of Court. Of the two hundred twenty-five dollars (\$225.00) sent to the Clerk of Court, two hundred dollars (\$200.00) shall be remitted to the State Treasurer for support of the General Court of Justice, and twenty-five dollars (\$25.00) shall be transmitted to the North Carolina State Bar to regulate the practice of out-of-state attorneys.
7. Peter C. Winkelman agrees to be subject to the orders and disciplinary action of this Court and the N.C. State Bar as if he were a regularly admitted and licensed member of the N.C. State Bar in good standing.
8. Counsel for Plaintiff does not consent to this instant motion.

WHEREFORE, Intervenor Applicants respectfully request that this Court grant Chris Winkelman admission *pro hac vice* to represent Intervenor Applicants in this case.

This the 24th day of October, 2019.

SHANAHAN LAW GROUP, PLLC

By: _____


John E. Branch III, NCSB # 32598
Nathaniel J. Pencook, NCSB # 52339
Andrew D. Brown, NCSB #45898
128 E. Hargett Street, Suite 300
Raleigh, North Carolina 27601
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Attorneys for Intervenor Applicants

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF
JUSTICE
SUPERIOR COURT DIVISION
FILE NO.: 19 CVS 012667

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Defendants.

PROPOSED ORDER

1. THIS MATTER is before the Court on Intervenor Applicants' Motion for Pro Hac Vice Admission ("Pro Hac Motion") of Peter C. Winkelman of the law firm Holtzman Vogel Josefiak Torchinsky PLLC; 45 North Hill Drive, Suite 100, Warrenton, VA 20186-2678.

2. Shanahan Law Group, PLLC represents Intervenor Applicants in the above-captioned case. After reviewing the Pro Hac Motion and accompanying affidavits, the Court finds that they comply with the statutory requirements for petitions for the limited admission of out-of-state attorneys set forth in N.C. Gen. Stat. § 84-4.1.

3. Accordingly, the Court **GRANTS** the Pro Hac Motion, subject to payment of the statutory admission fees.

4. The Court **ORDERS** John E. Branch, III to forward, within thirty (30) days of the entry of this Order, a specified registration statement, as required by 27 N.C.A.C. 1H, Section .0101, together with a copy of the necessary documentation, to the North Carolina State Bar, P.O. Box 25908, Raleigh, North Carolina 27611.

SO ORDERED, this ____ day of _____, 2019.

SUPERIOR COURT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing **Pro Hac Vice Motion and Proposed Order** upon all parties to this matter by placing a copy in the United States Mail, First Class, postage prepaid and addressed as follows:

Burton Craige, NC Bar No. 9180
Narendra K. Ghosh, NC Bar No. 37649
Paul E. Smith, NC Bar No. 45014
PATTERSON HARKAVY LLP
100 Europa Dr., Suite 420
Chapel Hill, NC 27517
(919) 942-5200
bcraige@pathlaw.com
nghosh@pathlaw.com/psmith@pathlaw.com

R. Stanton Jones/Elisabeth S. Theodore
Daniel F. Jacobson/William C. Perdue
Sara Murphy D' Amico
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Phillip J. Strach/Michael McKnight
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Paul Cox
Stephanie Brennan
North Carolina DOJ
114 W. Edenton St.
Raleigh, North Carolina 27603
(919) 716-6932
pcox@ncdoj.gov

This the 14th day of October, 2019.

SHANAHAN LAW GROUP, PLLC

By: _____

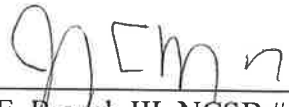

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Attorneys for Intervenor Applicants

EXHIBIT A

STATE OF NORTH CAROLINA
COUNTY OF WAKE

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Defendants.

AFFIDAVIT OF PETER C.
WINKELMAN

Peter C. Winkelman being duly sworn, deposes and says:

1. I am an attorney at law with the firm of Holtzman Vogel Josefiak Winkelman, PLLC and maintain an office at 45 North Hill Drive, Suite 100, Warrenton, VA 20186. My contact information is as follows: voice: 540-341-8808; fax: 540-341-8809; e-mail: cwinkelman@hvjt.law.

2. I am licensed and admitted to practice in the state of Florida.

3. I am a member in good standing of the Bar of the state of Florida.

4. I have never been disciplined by any Court or lawyer regulatory organization. I have never had any *pro hac vice* admissions revoked.

5. I am filing this Affidavit pursuant to the requirements of N.C. Gen. Stat. § 84-4.1, in connection with my request to be admitted before the Court in this proceeding.

6. I will have associated with me and personally appearing with me in this proceeding John E. Branch, III, whom is a member of Shanahan McDougal, PLLC, which maintains their office at 128 E. Hargett Street, Third Floor, Raleigh, North Carolina, 27601. Mr. Branch is also a resident of the State of North Carolina and is duly and legally admitted to practice in the General Court of Justice of North Carolina. Service may be had upon Mr. Branch in all matters connected to this proceeding, or any disciplinary matters, with the same effect as if personally made on me within the State of North Carolina.

7. I am fully familiar with the issues in this proceeding and I will provide Intervenor Applicants Ted Budd, Virginia Foxx, and Richard Hudson (hereinafter "Intervenor Applicants"), with legal representation to the best of my ability and in an orderly and mature fashion. Unless permitted to withdraw sooner by Order of the Court, I will continue to represent Intervenor Applicants, in this proceeding until the final determination thereof. With reference to all matters incident to this proceeding, I agree to be subject to the Orders and amenable to the disciplinary action and civil jurisdiction of the Court and the North Carolina State Bar in all respects, as if I were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

8. The state of Florida grants like privileges to members of the Bar of North Carolina in good standing.

[Handwritten signature]

By:

Peter C. Winkelman

COMMONWEALTH OF VIRGINIA
COUNTY OF FAUQUIER

SWORN TO AND SUBSCRIBED BEFORE ME

This the 23rd day of October, 2019.

Melissa Kimberly Acres
Notary Public

My Commission Expires: June 30, 2019

MELISSA KIMBERLY ACRES
NOTARY PUBLIC
REGISTRATION # 7509034
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
June 30, 2019

EXHIBIT B

October 24, 2019

Kellie Z. Myers
Trial Court Administrator
10th Judicial District
North Carolina Judicial Branch
PO Box 1916
Raleigh, NC 27602
Kellie.z.myers@nccourts.org

**Re: Representation in *Rebecca Harper, et al. v. Representative David R. Lewis, et al.*
19-CVS-12667**

Dear Ms. Myers,

We the Intervenor Applicants, Ted Budd, Virginia Foxx, and Richard Hudson have retained **Jason B. Torchinsky and Chris Winkelman** of the law firm of **Holtzman Vogel Josefiak Torchinsky PLLC** to represent us in the proceeding entitled in the above-referenced matter.

Our legal address for these purposes:
Holtzman Vogel Josefiak Torchinsky PLLC
45 North Hill Drive, Suite 100
Warrenton, VA 20186-2678

Please do not hesitate to contact the aforementioned individuals, Jason B. Torchinsky and Chris Winkelman, by dialing the firm's main phone number: (540) 341-8808, if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ted Budd", is written over a horizontal line.

Rep. Ted Budd

Rep. Virginia Foxx

Rep. Richard Hudson

October 24, 2019

Kellie Z. Myers
Trial Court Administrator
10th Judicial District
North Carolina Judicial Branch
PO Box 1916
Raleigh, NC 27602
Kellie.z.myers@nccourts.org

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Very truly yours,

Rep. Ted Budd



Rep. Virginia Foxx

Rep. Richard Hudson

October 24, 2019

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Very truly yours,

Rep. Ted Budd

Rep. Virginia Foxx



Rep. Richard Hudson